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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/770,762

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Robert A. Wright

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06/23/2006

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EXAMINER

LEE, PHILIP C

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/770,762	Applicant(s) WRIGHT ET AL.	
	Examiner Philip C. Lee	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/16/06, 5/18/06</u> . | 6) <input type="checkbox"/> Other: _____ |

1. This action is responsive to the amendment and remarks filed on March 16, 2006.
2. Claims 30-51 are presented for examination and claims 1-29 are canceled.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections – 35 USC 103

4. Claims 30 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morshed et al, U.S. Patent 6,760,903 (hereinafter Morshed) in view of Mathur et al, U.S. Patent 6,704,807 (hereinafter Mathur).
5. Mathur was cited in the last office action.
6. As per claims 30 and 42, Morshed taught the invention substantially as claimed comprising:

maintaining a connection, via a network (col. 32, lines 50-57), between a first proxy on a first server and a second proxy on a second server (col. 43, lines 23-36);

while maintaining the connection:

a plurality of first processes on the first server communicating with a

plurality of second processes on the second server via the
connection (col. 43, lines 1-12) by:

the plurality of first processes exchanging data with the
first proxy (col. 37, lines 25-27); and
said first proxy transmitting said data via said connection to said
second proxy (col. 43, lines 8-12, 23-29).

7. Morshed did not teach shared memory. Mathur taught each of the plurality of processes is assigned a unique region of the shared memory (col. 7, line 61-col. 8, line 14).

8. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Morshed and Mathur because Mathur's method of assigning memory region to processes would increase the reliability of Morshed's system by avoiding error due to applications accessing memory outside of their allocated slot (col. 8, lines 5-7).

9. Claims 31-41 and 43-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morshed and Mathur in view of Lanteigne et al, U.S. Patent 6,557,056 (hereinafter Lanteigne).

10. Lanteigne was cited in the last office action.

11. As per claims 31 and 43, Morshed and Mathur taught the invention substantially as claimed in claims 30 and 42 above. Morshed and Mathur did not teach mark device to change the state to indicate the region is not writeable. Lanteigne taught comprising:

a first process of the plurality of processes writing data to region of the shared memory that is assigned to the first process (col. 13, lines 5-31); and

the first process causing the state of a process mark device to change to a first state to indicate that the region is not writeable by the first process, wherein the process mark device has the first state and a second state that indicates that the region is writeable by the first process (col. 16, lines 7-36; col. 9, lines 37-42).

12. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Morshed, Mathur and Lanteigne because Lanteigne's teaching of indicating the region would increase the alertness of Morshed's and Mathur's systems by providing notification to input/output application that data has been enqueued in a receive queue for the particular input/output application (col. 16, lines 7-10).

13. As per claims 32 and 44, Morshed, Mathur and Lanteigne taught the invention substantially as claimed as in claims 31 and 42 above. Lanteigne further taught prior to the first process writing data to the shared memory, the first process determining whether the region of the shared memory is currently writeable by the first process (col. 13, lines 5-31).

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14. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Morshed, Mathur and Lanteigne for the same reason in claim 31 above.

15. As per claims 33 and 45, Morshed, Mathur and Lanteigne taught the invention substantially as claimed as in claims 32 and 44 above. Lanteigne further taught the first process determining whether the region of the shared memory is currently writeable comprises the first process checking the state of the process mark device (col. 13, lines 5-31).

16. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Morshed, Mathur and Lanteigne for the same reason in claim 31 above.

17. As per claims 34 and 46, Morshed, Mathur and Lanteigne taught the invention substantially as claimed as in claims 33 and 45 above. Lanteigne further taught the first process causing the state of a proxy mark device to change to a first state to indicate that the region is readable by the first proxy, wherein the proxy mark device has the first state and a second state that indicates that the region is not readable by the first proxy (col. 16, lines 7-36; col. 9, lines 37-42).

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18. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Morshed, Mathur and Lanteigne for the same reason in claim 31 above.

19. As per claims 35 and 47, Morshed, Mathur and Lanteigne taught the invention substantially as claimed as in claims 34 and 46 above. Lanteigne further taught the first process writing to the process mark device (col. 16, lines 7-36; col. 9, lines 37-42).

20. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Morshed, Mathur and Lanteigne for the same reason in claim 31 above.

21. As per claims 36 and 48, Morshed, Mathur and Lanteigne taught the invention substantially as claimed as in claims 34 and 46 above. Lanteigne further taught in response to the proxy mark device changing to the first state, the first proxy determining that there is data to be read from the region (col. 13, lines 5-31; col. 16, lines 7-36; col. 9, lines 37-42).

22. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Morshed, Mathur and Lanteigne for the same reason in claim 31 above.

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23. As per claims 37 and 49, Morshed, Mathur and Lanteigne taught the invention substantially as claimed as in claims 34 and 46 above. Lanteigne further taught comprising:
- the first proxy reading data from the region (col. 13, lines 5-31); and
- the first proxy causing the proxy mark device to change to the second state (col. 13, lines 5-31).
24. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Morshed, Mathur and Lanteigne for the same reason in claim 31 above.
25. As per claims 38 and 50, Morshed, Mathur and Lanteigne taught the invention substantially as claimed as in claims 37 and 49 above. Lanteigne further taught the process mark device changing to the second state in response to the proxy mark device changing to the second state (fig. 10, col. 13, lines 5-31; col. 16, lines 7-36).
26. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Morshed, Mathur and Lanteigne for the same reason in claim 31 above.
27. As per claims 39 and 51, Morshed, Mathur and Lanteigne taught the invention substantially as claimed as in claims 30 and 42 above. Lanteigne further taught comprising:

a first process of the plurality of processes reading data from a region of the shared memory that is assigned to the first process (col. 13, lines 5-31); and

the first process causing the state of a process mark device to change to a first state to indicate that the region is not readable by the first process, wherein the process mark device has the first state and a second state that indicates that the region is readable by the first process (col. 16, lines 7-36; col. 9, lines 37-42).

28. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Morshed, Mathur and Lanteigne for the same reason in claim 31 above.

29. As per claims 40 and 41, they fail to teach or define above or beyond claims (already rejected claims 31-39).

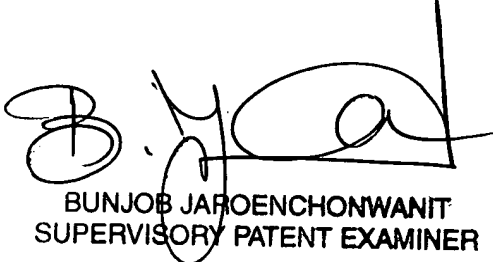
30. Applicant's arguments with respect to claims 1, 3-7 and 9-21 have been considered but are moot in view of the new ground(s) of rejection.

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kasichainula et al, U.S. Patent 6,941,561, discloses a method for a plurality of first processes communication with a plurality of second processes via proxies.

32. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Lee whose telephone number is (571) 272-3967. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Philip Lee


BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER